**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE S.SIRI JAGAN**

**TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929**

**WP(C).No. 23311 of 2007(A)**
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**PETITIONERS:**
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1. **ANIL KUMAR.S.,**
   **KAMBANICHIRA HOUSE, KUTTANAD P.O.,**
   **ALAPPUZHA DISTRICT.**

2. **S.G.SHIBU,**
   **SHIBU SADANAM, KUNNAMKARI P.O.,**
   **ALAPPUZHA DISTRICT.**

3. **STANLY JOHN,**
   **MALAMEL VEEDU, KIZHAKKAN MUTHOOR,**
   **KUTTAPUZHA, THIRUVALLA.**

**BY ADV. DR.K.P.SATHEESAN**
**SRI.K.K.GOPINATHAN NAIR**
**SRI.M.R.JAYAPRASAD**
**SRI.K.K.RAJEEV**

**RESPONDENTS:**
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1. **THE EXCISE COMMISSIONER,**
   **COMMISSIONERATE OF EXCISE, THIRUVANANTHAPURAM.**

2. **THE ASSISTANT EXCISE COMMISIONER,**
   **PATHANAMTHITTA.**

**BY GOVERNMENT PLEADER SRI.I.V.PRAMOD**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

S.SIRI JAGAN,J

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W.P.(C).No.23311 of 2007

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Dated this the 31st day of July 2007

JUDGMENT

Petitioners are Licensees of Toddy Shops in Group No.3 of Thiruvalla Excise Range. The group consists of 7 shops of which six are licensed and other is abandoned. On the ground that certain violation of the Abkari Act have been detected in respect of shop No.15, the petitioners have been directed to stop operations of all the Toddy shops. Petitioners have also been given Ext.P7 show cause notice-cum-suspension order directing the petitioners show cause why the license should not be cancelled under Section 26(b) of the Abkari Act of 1077 read with Rule 5(19) and 7(31) of the Kerala Abkari Shops Disposal Rules, 2002. The petitioner submitted Ext.P8 reply to show cause notice as early as on 2.7.2007, in spite of which no final orders have been passed till date and petitioners' toddy shops remain closed. Petitioners seek direction to pass final orders pursuant to Ext.P7 after taking into account the contentions of the petitioners in Ext.P8.

I have heard the learned Government Pleader also. After directing closure of the toddy shops, the first respondent has a duty to pass final orders pursuant to Ext.P7 expeditiously. Accordingly, I direct the first respondent to pass final orders as expeditiously as possible, at any rate, within two weeks from the date of receipt of a copy of this judgment. Petitioners would be free to rely on Ext.P9 order or any other order or document which would support their case.

The writ petition is disposed of as above.

S.SIRI JAGAN, JUDGE

dvs